

AMENDED IN SENATE JUNE 13, 2006

AMENDED IN ASSEMBLY MARCH 30, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 2782

Introduced by Assembly Member Jones

February 24, 2006

An act to add ~~Section~~ *Sections 5003.16 and 5080.41* to the Public Resources Code, relating to parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 2782, as amended, Jones. State parks: ~~operating agreements~~ *Old Sacramento State Historic Park.*

(1) *Under existing law, the Department of Parks and Recreation is required to operate, manage, and maintain units of the state park system.*

This bill would authorize the Director of the Department of Parks and Recreation, with the approval of the Director of General Services, to exchange with or sell to the City of Sacramento for fair market value specified property located in the Old Sacramento State Historic Park that is a portion of the Old Sacramento Historic District in the City of Sacramento.

(2) Existing law authorizes the Department of Parks and Recreation to enter into an agreement with any agency of the United States, any city, county, district, or other public agency, or any combination thereof, for the care, maintenance, administration, and control of lands for the state park system.

This bill would authorize the department, in addition, to enter into an agreement with a nonprofit organization for the development,

improvement, restoration, care, maintenance, administration, and control of a children’s museum on the 1849 scene site in Old Sacramento State Historic Park in the City of Sacramento.

The bill would require the department to notify each Member of the Legislature in whose district Old Sacramento State Historic Park is located if it intends to enter into an operating agreement under the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature hereby finds and declares all of*
2 *the following:*

3 (a) *The 1849 scene site in Old Sacramento State Historic Park*
4 *in the City of Sacramento is uniquely situated for the*
5 *development of a Sacramento regional children’s museum in that*
6 *the site is all of the following:*

7 (1) *Located in the center of the Sacramento region.*
8 (2) *Located in the heart of the region’s downtown and*
9 *business core.*

10 (3) *Located in Old Sacramento State Historic State Park*
11 *which is a destination state park and national historic district for*
12 *tourists from throughout the world.*

13 (4) *Adjacent to the California State Railroad Museum, which*
14 *itself is a major regional destination for families and tourists*
15 *alike.*

16 (b) *The site is not suitable for any other facility that would*
17 *address a core mission of the state, and therefore its use for a*
18 *children’s museum would not deprive the state of land that could*
19 *be used to address core state functions.*

20 (c) *The state does not provide children’s museums as a part of*
21 *its core mission and therefore the use of the site by a nonprofit*
22 *organization does not supplant an existing core state mission.*

23 SEC. 2. *Section 5003.16 is added to the Public Resources*
24 *Code, to read:*

25 5003.16. (a) *Notwithstanding the provisions of Division 3*
26 *(commencing with Section 11000) of Title 2 of the Government*
27 *Code that relate to the disposition of state-owned real property,*
28 *with the approval of the Director of General Services, the*
29 *director may exchange with or sell to the City of Sacramento for*

1 fair market value, upon those terms and conditions and with
2 those reservations and exceptions that in his or her opinion may
3 be in the best interest of the state, all or part of the following
4 described property located in the Old Sacramento State Historic
5 Park that is a portion of the Old Sacramento Historic District in
6 the City of Sacramento:

- 7 (1) PARCEL 1 : APN 006-0241-010 (R Street Bridge).
- 8 (2) PARCEL 2: APN 031-0010-010 (Freeport).
- 9 (3) PARCEL 3: APN 031-0010-005 (Freeport).
- 10 (4) PARCEL 4: APN 009-0012-048 (Docks).
- 11 (5) PARCEL 5: APN 009-0012-0058 (Docks).
- 12 (6) PARCEL 6: APN 009-0012-059 (Docks).
- 13 (7) PARCEL 7: APN _____ (Pony Express Plaza, Old
14 Sacramento).
- 15 (8) PARCEL 8: APN _____ (Riverfront Park, Foot of
16 I Street, Old Sacramento).
- 17 (9) PARCEL 9: APN _____ (Railyards Riverfront).
- 18 (10) PARCEL 10: APN 009-0030-036 (Miller Park).

19 (b) For the purposes of complying with the fair market value
20 requirement of subdivision (a), the City of Sacramento shall be
21 credited for any financial participation it contributes toward a
22 purchase by the state of the surplus Meadowview Corridor
23 property owned by the Sacramento Regional Transit District.

24 **SECTION 1.**

25 SEC. 3. Section 5080.41 is added to the Public Resources
26 Code, to read:

27 5080.41. (a) Notwithstanding any provision of this article,
28 the department may enter into an operating agreement with a
29 qualified nonprofit organization for the development,
30 improvement, restoration, care, maintenance, administration, and
31 control of a children’s museum on the 1849 scene site in Old
32 Sacramento State Historic Park in the City of Sacramento. The
33 agreement shall include, but is not limited to, the following:

- 34 (1) The district superintendent for the department shall provide
35 liaison with the department, the nonprofit organization, and the
36 public.
- 37 (2) The children’s museum, starting one year after the museum
38 is open to the public, shall annually submit a written report to the
39 department regarding its operating activities during the prior year
40 and shall make copies of the report available to the public upon

1 request. The report shall include a full accounting of all revenues
2 and expenditures for the children’s museum.

3 (3) All revenues received from the operation of the children’s
4 museum shall be expended only for the care, maintenance,
5 operation, administration, improvement, or development of the
6 museum.

7 (b) The district superintendent for the department shall,
8 following submittal of the first annual report under subdivision
9 (a), hold a public meeting for discussion of the report and any
10 operating policies or procedures. Any recommendation resulting
11 from the annual public meeting shall be submitted by the district
12 superintendent to the director for review and approval.

13 (c) The general plan for the children’s museum shall, in
14 addition to the requirements set forth in Section 5002.2,
15 specifically evaluate and define the manner in which the museum
16 is proposed to be operated. The general plan shall be reviewed by
17 the State Park and Recreation Commission for a determination
18 that the museum will be operated in a manner that generally
19 meets the standards followed by the department in its operation
20 of similar facilities, that enhances the general public use and
21 enjoyment of, and recreational and educational experiences at,
22 the unit, and that provides for the satisfactory management of
23 park resources.

24 (d) Whenever the department intends to enter into an operating
25 agreement with respect to a children’s museum on the 1849
26 scene site in Old Sacramento State Historic Park in the City of
27 Sacramento, the department shall notify each Member of the
28 Legislature in whose district the unit is located of that intention.